

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIE ROSE, #235893,

Petitioner,

v.

CASE NO. 15-CV-11963  
HONORABLE JOHN CORBETT O'MEARA

JEFFREY WOODS,

Respondent.

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**ORDER DENYING PETITIONER'S MOTION FOR DISCOVERY  
BUT GRANTING HIS MOTION FOR EXTENSION OF TIME**

Before the Court are Petitioner's motions for discovery and for extension of time to file a reply to Respondent's answer to the petition. For the reasons stated herein, the Court denies Petitioner's motion for discovery but grants his motion for an extension of time.

I. Discovery

Petitioner seeks discovery and lists information that he believes the Court will uncover from transcripts and the parties involved in his state criminal proceedings. As a general rule, "[a] habeas petitioner, unlike the usual civil litigant in federal court, is not entitled to discovery as a matter of ordinary course." *Bracy v. Gramley*, 520 U.S. 899, 904 (1997). At this time, Petitioner has not made the requisite showing of "good cause" that his possession of the requested items are necessary to the disposition of this case. *Id.* at 908; 28 U.S.C. foll. § 2254, Rule 6(a). Petitioner has already filed his habeas petition and supporting materials. Moreover, Respondent has submitted the relevant state court materials pursuant to Rule 5 of the Rules Governing Section

2254 Cases. Accordingly, the Court **DENIES** Petitioner's motion for discovery. Should the Court determine that any additional materials are necessary for the resolution of this matter after reviewing Respondent's answer and the state court record in more detail, it will enter an appropriate order. Petitioner need not file an additional motion concerning this issue.

II. Extension of Time

Petitioner also seeks an extension of time to file a reply to Respondent's answer due to difficulties in obtaining his legal materials due to a prison transfer. The Court finds that Petitioner has shown good cause for this request. Accordingly, the Court **GRANTS** Petitioner's motion for enlargement of time. Petitioner does not specify an amount of time in his request, but the Court shall provide him with an additional **60 days** to file a reply to Respondent's answer to the petition.

**IT IS SO ORDERED.**

s/John Corbett O'Meara  
United States District Judge

Date: January 13, 2016

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, January 13, 2016, using the ECF system and/or ordinary mail.

s/William Barkholz  
Case Manager